

REMARKS

Summary of Amendments

Claims Claim 6 has been amended to better define the invention over the prior art. Claims 12 and 16 have been amended to overcome objection.

Status of claims

Claims 1-5 are cancelled. Claims 6-20 remain pending.

Rejection under 35 USC 112

Claim 15 stands rejected under 35 USC 112 as indefinite for lack of clarity concerning the phrase “wherein the plastic wrapper is attached to the spine by ring elements.” This rejection is traversed.

Structure meeting the recitation triggering the rejection is shown in Figure 5 and described at the bottom of page 5 of the specification. The claim is not intended to cover the structure shown in Figure 3 and referenced in the Office Action. The language means what it says and is adequately defined. Reconsideration is requested.

Rejection under 35 USC 102

Claim 1 stands rejected under 35 USC 102 for anticipation over JP 8-80691. The rejection is traversed but is obviated by the cancellation of claims 1-5.

Rejections under 35 USC 103

Over JP 8-80601

Claims 2-5 stand rejected under 35 USC 103(a) as being unpatentable over JP 8-80691. The rejection is traversed but is obviated by the cancellation of these claims.

Over JP 8-80691 in view of Murray

Claims 6-11 and 14-15 stand rejected over JP 8-80691 in view of Murray, US 2,213,920, September 3, 1940. This rejection is traversed, but is obviated by the above amendment to claim 6.

Claim 6 (amended) distinguishes the combination of references by reciting “wherein the artwork images comprise images of flowers, and the scent elements which are carried by the calendar carry flower scents corresponding to the artwork images, wherein the scent elements are encased in a plastic wrapper which can be removed by a user to release a scent which corresponds to a monthly artwork image.”

The translation and drawings of JP 8-80691 do not render obvious the above recited recitation. The “artwork” is disclosed in JP 8-80691 as “a dragon or the like” and the aroma is disclosed as “prepared by adsorbing aroma such as mint by diatomaceous earth”. A “film is laminated to the surface of the base material to form one calendar”. There is no disclosure of employing monthly images and scents corresponding to the monthly images, and such is not suggested. There is apparently no disclosure of employing flower scents.

The disclosure of Murray is deficient on the same grounds as JP 8-80691. Murray does not disclose monthly images and does not remedy this deficiency of JP 8-80691. Murray does not disclose anything related to scents, and cannot by this silence remedy the deficiencies of JP 8-80691 relating to employing flower scents corresponding to the monthly flower images. The instantly claimed recitation above relating to monthly flower images and corresponding scents is therefore not suggested by the combination of JP 8-80691 with Murray.

Claims 7-11 and 14-15 distinguish the combined disclosures at least on the same basis as claim 6. Reconsideration and withdrawal of the rejection under 35 USC 103 of claims 6-11 and 14-15 is therefore requested.

Objections

Claims 12-13 and 16-20 have been objected to as being dependent upon a rejected base claim but have been indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Such has been done. Reconsideration is requested.

Conclusion

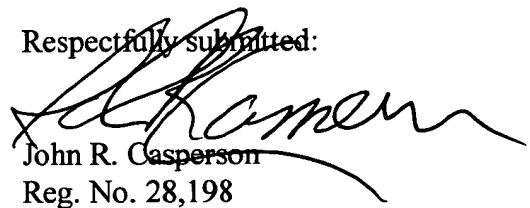
In view of the foregoing amendment and remarks, entry and reconsideration and withdrawal of all grounds of rejection and early notice of allowance is solicited.

Please mail correspondence to:

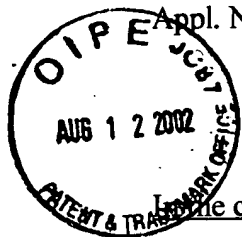
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Appl. No. 09/557,928

**VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN RESPONSE TO OFFICE ACTION DATED MAY 8, 2002**

In the claims

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The claims have been amended as shown and discussed below.

Claims 1-5 are cancelled.

Claim 6 is amended as follows:

6. A scented wall calendar [as in claim 5] which comprises an annual calendar formed by a plurality of sheets of paper each having [an] a monthly artwork image on one face and a monthly calendar image on an opposite face, and a plurality of scent elements, wherein the artwork image is oriented upside down with respect to the monthly calendar image on the opposite face so that flipping a face bearing a monthly calendar image upwardly about a horizontally disposed axis reveals an artwork image positioned above a next following monthly calendar image, both in an upright orientation, wherein each sheet defines an aperture adjacent a bottom edge of the calendar image and adjacent an upper edge of the artwork image to permit the calendar to be mounted to a wall hook or nail, wherein the artwork images comprise images of flowers, and the scent elements which are carried by the calendar carry flower scents corresponding to the artwork images, wherein the scent elements are encased in a plastic wrapper which can be removed by a user to release a scent which corresponds to a monthly artwork image.

Claims 7-11 are unchanged.

Claim 12 is amended as follows:

12. (Amended) A scented calendar [as in claim 11 further comprising] having a container of [the] a fragrant oil attached to the calendar to permit replenishment of [the] a scent element [as desired.] attached to the calendar.

the scented calendar comprising an annual calendar formed by a plurality of sheets of paper each having an artwork image on one face and a monthly calendar image on an opposite face, wherein the artwork image is oriented upside down with respect to the monthly calendar image on the opposite face so that flipping a face bearing a monthly calendar image upwardly about a horizontally disposed axis reveals an artwork image positioned above a next following monthly calendar image, both in an upright orientation, wherein each sheet defines an aperture adjacent a bottom edge of the calendar image and

adjacent an upper edge of the artwork image to permit the calendar to be mounted to a wall hook or nail,

wherein the artwork images comprise artwork of roses and the scent carried by the calender comprises the scent of roses;

said annual calendar further comprising a spine element attached to the sheets of paper by ring elements and forming the horizontally disposed axis and including

a first sheet having a January artwork image on one side; and

a second sheet having a January calendar image on one side and a February artwork image on an opposite side, said first sheet and said second sheet being connected via the spine element so that the January artwork image faces the January calendar image when the calendar is in a January-closed position and the January artwork image is positioned above the January calendar image when the calendar is in a January open position;

wherein the scent element which releases scent corresponding to the January artwork image is positioned between the January calendar image and the January artwork image when the calendar is in the January-open position,

the scent element being formed from blotting paper which is impregnated with a fragrant oil having an aroma which corresponds to the January image.

Claims 13-15 are unchanged.

Claim 16 is amended as follows:

16. (Amended) A scented calendar

comprising an annual calendar formed by a plurality of sheets of paper each having an artwork image on one face and a monthly calendar image on an opposite face, wherein the artwork image is oriented upside down with respect to the monthly calendar image on the opposite face so that flipping a face bearing a monthly calendar image upwardly about a horizontally disposed axis reveals an artwork image positioned above a next following monthly calendar image, both in an upright orientation, wherein each sheet defines an aperture adjacent a bottom edge of the calendar image and adjacent an upper edge of the artwork image to permit the calendar to be mounted to a wall hook or nail,

wherein the artwork images comprise artwork of roses and the scent carried by the

calender comprises the scent of roses;

said annual calendar further comprising a spine element attached to the sheets of paper by ring elements and forming the horizontally disposed axis and including

a first sheet having a January artwork image on one side; and

a second sheet having a January calendar image on one side and a February artwork image on an opposite side, said first sheet and said second sheet being connected via the spine element so that the January artwork image faces the January calendar image when the calendar is in a January-closed position and the January artwork image is positioned above the January calendar image when the calendar is in a January open position;

said scented calendar [as in claim 9] further comprising a plastic sheet which defines a plurality of pockets attached to the spine by the rings, wherein each pocket carries a removable scent element which carries a scent.

Claims 17-20 are unchanged.